

Amendments to the Drawings:

A replacement drawing sheet is attached and includes changes to Figures 5 and 6 as requested by the Examiner. In the replacement drawings, the alleged failure to show cell details and arrows as described in the specification have been corrected. No new matter has been introduced.

REMARKS

Claims 1-19 were pending in the present application. By this Amendment, Applicant has amended claims 1, 2, 7, 8, 17 and 18. Applicant has canceled claims 13 and 19 without prejudice to the right to present the canceled subject matter in a future continuing application. Applicant has amended the specification to correct typographical errors and to provide appropriate headings and figure descriptions. Applicant has replaced Figures 5 and 6. The present Amendment does not introduce any new matter and thus, its entry is respectfully requested. Upon entry of the present Amendment, claims 1-12 and 14-18 will be pending and under examination.

The March 12, 2007 Office Action

With regard to the objections to the specification as set forth in paragraph 3 of the outstanding Office Action, the Applicants have amended the disclosure. Applicants respectfully request that these objections to the specification be removed in light of the amendments to the disclosure.

Examiner's rejection under 35 U.S.C. §101 and 35 U.S.C. §112, first and second paragraphs

Applicants point out that currently amended claims 17 and 18 are use claims which were filed in Europe because method of treatment claims are not permitted in Europe (the present application is a 371 of PCT/EP04/08790). The use claims in the present application should be interpreted as method claims. Claims 17 and 18 have been amended to clarify this. Use claim 19 has been cancelled.

Examiner's Claim Rejection under 35 U.S.C. §112, second paragraph

With regard to the rejections of claims 1-19 under 35 U.S.C. § 112 for indefiniteness, as set forth in the paragraph 8 of the outstanding Office Action, the Examiner is of the opinion that it is unclear which interaction is considered "the fusion." According to the Examiner, "the fusion" is either the contact of the carrier materials to the ghosts or the actual closure of the ghosts. Claim 1 has been amended to delete "the fusion" claim term and to clarify that the closure is mediated by way of specific interactions between the partners of a bioaffinity binding pair.

With regard to the rejection of claim 2 under 35 U.S.C. § 112 for indefiniteness as set forth in paragraph 10 of the outstanding Office Action, the Examiner is of the opinion that the wording of the Markush group is unclear. The Examiner appears willing to remove the objection if the listing is modified to list each binding pair separately, e.g., biotin/streptavidin, biotin/avidin, biotin analogues/streptavidin, biotin analogues/avidin, happen/antibodies, happen/antibody fragments, saccharine/lectin, and ligand/receptor. The Applicants have amended claim 2 and respectfully request that this rejection be removed.

With regard to the rejections of claims 7 and 8 under 35 U.S.C. § 112 for indefiniteness as set forth in paragraph 11 of the outstanding Office Action, the Examiner is of the opinion that the claim term "derived from" is unclear. The Applicants have deleted the claim term and replaced it with the claim term "prepared from." See page 1, line 16 of the Specification for support.

With regard to the rejection of claim 13 under 35 U.S.C. § 112 for indefiniteness as set forth in paragraph 12 of the outstanding Office Action, the claim recites the term "substances" without any qualification. Claim 13 has been deleted.

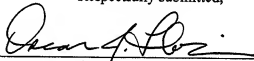
In view of the above remarks and attachments hereto, Applicants believe that all of the Examiner's rejections set forth in the March 12, 2007 Office Action have been fully overcome and that the present claims fully satisfy the patent statutes. Applicants therefore believe that the application is in condition for allowance. The Director is authorized to charge any fees or overpayment to Deposit Account No. 02-2135.

The Examiner is invited to telephone the undersigned if it is deemed to expedite allowance of the application.

Respectfully submitted,

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By



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